



**COUNTY OF LOS ANGELES**  
**PROBATION OVERSIGHT COMMISSION**  
**DRAFT STATEMENT OF PROCEEDINGS FOR THE VIRTUAL**  
**REGULAR MEETING**



[poc.lacounty.gov](http://poc.lacounty.gov)

**THURSDAY, SEPTEMBER 23, 2021, 12:00 P.M.**

VIDEO FILE FOR THE ENTIRE MEETING

Attachment: [Video](#)

**I. ADMINISTRATIVE MATTERS**

1. Call to Order and Roll Call.

**Chairman Franky Carrillo called the meeting to order at 12:02 p.m. Wendelyn Julien, Executive Director conducted the roll call:**

**Present:** Commissioner Sean Garcia-Leys, Commissioner Donald D. Meredith, Commissioner Dominique D. Nong, Commissioner Robert M. Saltzman, Commissioner Cyn Yamashiro, Secretary Dolores Canales, Vice Chair Esché L. Jackson, Chairman Franky Carrillo

**Absent:** Commissioner Danielle M. Dupuy

2. Approval of the September 9, 2021 meeting minutes.

**No members of the public commented on this item.**

**On motion of by Commissioner Saltzman, seconded by Commissioner Nong, and unanimously carried (Commissioner Dupuy being absent), the Los Angeles Probation Oversight Commission approved the September 9, 2021 minutes:**

**Ayes:** 8 – Commissioner Sean Garcia-Leys, Commissioner Donald D. Meredith, Commissioner Dominique D. Nong, Commissioner Robert M. Saltzman, Commissioner Cyn Yamashiro, Secretary Dolores Canales, Vice Chair Esché L. Jackson, Chairman Franky Carrillo

**Absent:** 1 – Commissioner Danielle M. Dupuy

Attachments: [Supporting Document](#)  
[Public Comment/Correspondence](#)

**II. DISCUSSION**

3. Discuss and take appropriate action on an update from the Probation Department on its role in accomplishing the goals of the Board of Supervisors' motion regarding maintaining the low census of youth in Los Angeles County juvenile halls and camps. Specifically, the Probation Department will report on its progress in increasing referrals to Youth Diversion and Development (YDD) and in drafting reports recommending detention or release for youth at the pre-trial stage and post-disposition that align with the Board of Supervisor's motion.

- Adam Bettino, Chief Deputy, Los Angeles County Probation Department
- Felicia Cotton, Deputy Director, Los Angeles County Probation Department

Mr. Bettino shared an introduction of the Probation Department's youth diversion efforts.

Ms. Cotton explained that the bench warrant numbers are high due to mandatory detentions, over the Probation Department does not have discretion to release. She provided a detailed explanation of the Probation Department's Temporary Bench Warrant Protocols for Juvenile Probationers (See attached). She emphasized that one of the differences between the initial Temporary Bench Warrant Protocol and the new protocol is that the new protocol allows the youth to report back to court in ten days opposed to 45 days. She added that the Probation Department is involved in placement cases because the Probation Officers are required to assess the youth during the Intake Detention and Control (IDC) process and as contact is made in the field. Ms. Cotton mentioned that although the Superior Court and the Probation Department had different views for the Community Detention Program (CDP), the overall effects on the youth have been similar, serving as a recovery program that does not require detention. She further added that there has been an increase in cite outs, where youth are cited out of juvenile hall, never detained, and referred to the court.

Ms. Dalila Alcantara, Deputy Director at the Los Angeles County Probation Department, shared data showing the significant reduction in youth population in juvenile halls, and more CDP referrals.

Ms. Cotton provided details on the components of the three-pronged, out-of-home approval process for CDP referrals made by Deputy Probation Officers (DPOs) and highlighted key responsibilities within each approval level. The initial approval is made by the Supervising DPO (supervisor), then forwarded to the Director, with a last approval by the Out-of-Home Placement Unit.

Ms. Cotton shared that there are approximately three to five youth violations reported in the Probation Department's quarterly reports, where numbers are remaining low. She emphasized that the Probation Department will continue to partner and communicate with the Superior Court to embrace a case management perspective.

An explanation of how youth are assessed for placement at Placement Assessment Centers (PAC) once a suitable placement order is received was detailed by Ms. Cotton. She outlined the differences between a short-term warrant and a bench warrant to emphasize whether youth can return to a previously assigned PAC. She stressed how beneficial it was having interdepartmental intervention for the youth when determining suitable placement as instructed by the Board of Supervisors' board motion.

Ms. Cotton provided an overview of the Probation Department's referral procedures, specifically the Citation Diversion Program. Of the 220 qualified citations, a range between 180-190 are ready to be submitted for consideration for the Citation Diversion Program. She added that many of the services can be delivered virtually. It is the goal of the Probation Department to streamline the Citation Diversion Program to have law enforcement recommend a service referral agency and send it over to Youth Diversion and Development (YDD).

To explain how the Probation Department can increase the number of YDD referrals, Ms. Cotton shared details about the role and responsibilities of the Intake Detention and

Control (IDC) unit. Ms. Cotton stated that the IDC unit consults with law enforcement to determine if detainment is necessary. She emphasized that a referral form will still be an alternative to referrals made to the YDD's programs and services, but ideally, the Probation Department would not be involved in that screening process.

Nicole Brown, Milinda Kakani, Mel Bailey, and Eduardo Mundo addressed the POC.

Ms. Cotton acknowledged Commissioner Nong's statement about the 2018 protocols for reducing youth populations in juvenile halls and camps by confirming they are the most current documents since the Board passed the motion.

Commissioner Nong inquired about a list of offenses that are deemed deferrable as part of the CDP. Although the list disseminated in March included different data, Ms. Cotton confirmed that an updated list can be provided.

When youth are being referred to YDD for failures to appear, Commissioner Nong asked if the license holds are lifted once the referral to YDD has been made. Ms. Cotton mentioned that there are no holds on youth who are being referred to YDD, as these citations are considered closed/handled in Probation's records. As for youth who have existing citations, Ms. Cotton stated that a blanket order to remove those license holds was sent to the Superior Courts.

Ms. Cotton responded to Commissioner Nong's inquiry about referrals and diversion programs by stating that the Probation Department does not run the referral and diversion programs but has Investigators who make referrals to these community-based organizations (CBOs) who then provide the services to the youth.

Mr. Refugio Valle, Director of the YDD Division at the Los Angeles County Office of Diversion and Reentry, shared that YDD is in the process of gauging its capacity to offer diversion programs countywide. Although the existing network can cover Los Angeles County, Mr. Valle mentioned that YDD is in the process of contracting with additional partners so that as referrals increase, there is a surplus of available of services.

Ms. Cotton clarified Ms. Julien's inquiry about the Temporary Bench Warrant Protocol being temporary and said that it is still in place. Ms. Cotton added that a permanent Bench Warrant Protocol is being discussed during monthly meetings between the Probation Department's Executive Team and the Superior Court's Presiding Judges.

Attachments: [Supporting Document](#)  
[Public Comment/Correspondence](#)

4. Discuss and take appropriate action on an update from the Probation Department regarding the phase out of Oleoresin Capsicum (OC) Spray.

Mr. Bettino explained that the Probation Department is gathering data related to the use of OC Spray beginning in 2019 to show trend analyses. He explained that some data points, such as incident reviews, can interpreted in many ways, and clarity must be obtained from County Counsel prior to generating those data sets. Mr. Bettino announced that the training has increased from 40 hours to 80 hours to incorporate additional modules on topics such as safety and self-defense.

Nicole Brown addressed the POC.

Commissioner Meredith clarified that his initial request for use of OC Spray data was to be able to identify statistical trends by employee, with everyone being anonymously coded in the data set.

Vice Chair Jackson asked about the training schedule and location. Mr. Bettino responded by sharing that the curriculum and schedule has been established and POC Commissioners are invited to attend.

Commissioner Nong reiterated her questions from a previous meeting. Mr. Bettino acknowledged that an additional six months was added to the training timeline, but the Probation Department is collaborating with line staff to condense that process. He stressed that new employees will not be trained on using OC Spray. Mr. Bettino added that discussions with labor are underway to determine how the two staff, listed in Phase 2, would be selected. Lastly, Mr. Bettino explained that meetings to discuss de-escalation strategies, coaching, and program are in progress.

Mr. Bettino addressed the allocation of the \$13 million that the Probation Department was granted. He mentioned that \$10 million is currently being stored in a Trust account maintained by the Chief Executive Office for facility upgrades as outlined in the Department of Juvenile Justice (DJJ) Stipulated Agreement to create home-like environments. The remaining \$3 million were allocated to staffing needs. Mr. Bettino emphasized that the Probation Department is waiting on the Board to spend these funds.

Vice Chair Jackson inquired if the Credible Messenger program has been incorporated into the training curriculum. Although credible messengers are not currently part of the training curriculum, Mr. Bettino stated that the Probation Department is hoping to expand its existing program as the motions continue to converge. Furthermore, he added that the POC can help with these efforts by screening CBOs and assisting with the CBO onboarding process.

Commissioner Meredith emphasized that the OC Spray usage report would provide clarity and transparency based on empirical data to get an idea of what is really happening and how to handle those instances.

Commissioner Saltzman suggested that aggregating the data to include the location where the OC Spray was used, the elimination phase each unit is currently in and should be in based on training, would aid in measuring the progress towards complete OC Spray elimination.

Attachments: [Supporting Document](#)  
[Public Comment/Correspondence](#)

5. Discuss and take appropriate action on an update from the Probation Department on the consolidation of Juvenile Camps.

Mr. Bettino shared that this consolidation plan is an ongoing process with the Probation Department's labor partners to create new career pathways that do not currently exist. He added that there are tight timelines in relation to the DJJ realignment plan, but the Probation Department has an architect to help score the facilities to determine the most suitable location.

Nicole Brown addressed the POC.

Commissioner Yamashiro inquired about who generates the Probation Department's accounting and fiscal reports. Mr. Bettino confirmed that fiscal reports are generated internally or externally depending on the requested content. Commissioner Yamashiro further asked that the Probation Department provide a report back of the affiliated annual costs to keep facilities operating at such low capacities, and Mr. Bettino confirmed.

Commissioner Nong asked about the decision-making process including stakeholders who are involved, and whether the scorecard is affecting any decisions. Mr. Bettino emphasized that the scorecard will be considered in the decision-making process and shared that the Probation Department's Executive Team has been having additional conversations to discuss which facilities to potentially close, but the decisions to identify the most safe and secure area must align with labor.

Mr. Bettino responded to Commissioner Nong's inquiry regarding finalizing the scorecard and engaging the community by stating that the Probation Department will be partnering with the POC, the Juvenile Justice Coordinating Council (JJCC), as well as other youth advisory groups to strategize on effectively engaging the community. He added that the scorecard is in draft mode and will be further discussed at the September 29<sup>th</sup> JJCC meeting.

Attachments: [Supporting Document](#)  
[Public Comment/Correspondence](#)

### III. REPORT

6. Report from the Probation Oversight Commission on a synopsis of the California Board of State Community Corrections (BSCC) hearing on the suitability of Los Angeles County Probation Department facilities.

Commissioner Nong shared a summary of the BSCC findings, which found Barry J. Nidorf and Central Juvenile Hall not suitable for the confinement of minors. She provided an overview of what the BSCC's role is in ensuring all California facilities, including county facilities, comply with California's Title 15 and Title 24 minimum standards. Commissioner Nong detailed the sequential steps confinement facilities must follow to comply with California law.

No members of the public commented on this item.

Commissioner Yamashiro inquired about youth being routinely restrained physically within facilities and sought clarification on the departmental policy pertaining to the use of constraints. Ms. Alcantara clarified that the physical restraints reported during the BSCC inspection were within the facility, not while transporting youth outside the facility. She confirmed that there is an existing policy where an assessment form must be completed and submitted for management's approval when physical restraints are used in facilities. Commissioner Yamashiro expounded on his inquiry to include why attorneys routinely see their clients during the interview process with their ankles, hands, and feet zip-tied or shackled. Ms. Alcantara responded that youth housed in the compound are transported using physical restraints based on an assessment, but the restraints are removed once they are inside the interview room. She added that for the safety of other youth in the general population and visitors, youth are transported using physical restraints at the compound. Mr. Alcantara confirmed that the lowest level of restraint would be zip ties, which are categorized as a soft restraint. She stated that BSCC highlighted that the documentation of physical restraints needs to be enhanced to clearly justify the use of



physical restraints. Lastly, Commissioner Yamashiro stressed that irrespective of the current documentation of physical restraints, what is occurring in practice at the compound when transporting youth contradicts the Probation Department's internal policy as well as the BSCC standards.

Mr. Bettino agreed to Commissioner Saltzman's request to provide an updated status report at the POC's October and November meetings on the Probation Department's progress towards obtaining BSCC compliance. He stated that discussions regarding alternate plans are happening now.

Chair Carrillo emphasized that the Board of Supervisors, in collaboration with the POC, takes the issue of BSCC compliance very seriously.

Attachments: [Supporting Document](#)  
[Public Comment/Correspondence](#)

#### IV. MISCELLANEOUS

##### MATTERS NOT POSTED

7. Matters not posted on the agenda, to be discussed and (if requested), placed on the agenda for action at a future meeting of the authority, of matters requiring immediate action because of an emergency situation or where the need to take action arose subsequent to the posting of the agenda.

*(Not on agenda)*

Ms. Julien announced that the POC will hold a town hall about Reaffirming the L.A. Model at Campus Kilpatrick on Thursday, October 7<sup>th</sup> from 6:00 p.m. – 7:30 p.m. The panel for this town hall include professionals from the Probation Department and the Department of Mental Health. She also mentioned that the POC is planning to have a town hall based on the DJJ site selection process in the future as the POC follows the Board of Supervisors' recommendations on the site selection and the scorecard. Once this decision is made, Ms. Julien stated that the POC will collaborate with the Probation Department to schedule a robust community engagement town hall.

Commissioner Saltzman recommended that a report back from the CEO regarding the approval and funding of the recommended POC staffing of 19 positions, five of which have been approved already.

Report back from the Probation Department on the expenses needed for rehabilitating youth effectively. Fiscally, what is it costing to keep facilities operating on such a low capacity.

##### PUBLIC COMMENT

8. Opportunity for members of the public to address the Los Angeles Probation Oversight Commission (POC) on items of interest that are within the subject matter jurisdiction of the POC.

You may submit public comment by e-mail to [info@poc.lacounty.gov](mailto:info@poc.lacounty.gov).

Written public comment or documentation must be submitted no later than 5:00 p.m. the day

before the scheduled meeting. Please include the Agenda Item and meeting date in your correspondence. Correspondence received shall become part of the official record.

**Alain Datcher and Nicole Brown addressed the POC.**

**Attachments:** [Public Comment/Correspondence](#)

**V. ADJOURNMENT**

9. Adjournment for the regular meeting of September 23, 2021.

**Chairman Carrillo adjourned the meeting at 2:12 p.m.**

DRAFT